

CONGRESSIONAL RECORD — SENATE

I do not know what more we in the Senate can do. Our ratification of this treaty is one more act of faith; not of blind faith, not of headless faith, but rather of a larger faith in human destiny.

We have reached out of the maelstrom in an attempt to assure the future of humanity.

Acting in good faith, acting with honest purpose, our tradition encourages us to hope, and to believe, that this enterprise will be touched by the hand of God.

ANTI-JEWISH DISCRIMINATION IN
THE U.S.A.

Mr. JAVITS. Madam President, I have taken the time of the Senate only because of an act that is about to be carried out in the Soviet Union. It is proposed to execute a rabbi of the Jewish faith for a so-called economic crime. As has so eloquently been said, in a civilized nation it is inconceivable to set capital punishment as a penalty for dealing even in illegal currency exchange.

The tragic fact of government-inspired anti-Jewish acts is showing itself again in the Soviet Union and the steady succession of confirmed news reports about arrests, trials and executions presents an increasingly dangerous situation for the 3 million Jews of the Soviet Union.

The scope and intensity of recent Soviet discriminations against Jews should remove any remaining doubts that the Jews have been singled out for such special attention by the Kremlin.

An aroused world must find ways and means to stop this evil design; our generation has lived through enough horrors to be very sensitive to such anti-Jewish manifestations notwithstanding that Soviet law which makes anti-Semitism a crime. Within the last 3 years at least 83 Jews have been executed out of a total of 140 persons condemned for alleged economic offenses. Mass trials in many cities have been markedly anti-Jewish and Soviet newspapers while loudly denying any prejudices have conspicuously played up the names of rabbis—a special Soviet favorite—and the Jewish connections of the accused.

The campaign of vilification is widespread in the rigidly controlled Soviet press which has been describing Russian Jews as un-patriotic, disloyal and subversive. Such an effort to build up anti-Jewish stereotypes in provincial Soviet newspapers, particularly in the Ukraine, White Russia and other regions known for historic anti-Semitic feelings is not a happenstance in a government-controlled press like that of the U.S.S.R. A number of Jewish religious leaders have been sentenced to long terms of imprisonment on charges of communicating with the Israeli Embassy in Moscow in an obvious effort to discourage any hope any Soviet Jews may have had of emigrating to Israel.

to Israel.

It is an irony of history that Jews who once were driven out of Russia in vast numbers should now be deprived of the right of emigration and held captive in this way. Along with these measures, the Soviet anti-religious drive has been stepped up against all religious groups but hitting especially hard at Jews, alleging the use of synagogues for black market profiteering and other subversive activities. Synagogues have been padlocked on flimsy pretexts; and just this week, on the eve of the high holy days, the only remaining synagogue in Minsk, once a great Jewish cultural center, was shut down permanently. Burial in the Jewish cemetery in Minsk has been prohibited. A similar order was issued in Moscow to shut down Jewish cemeteries in that city.

This campaign of oppression includes a ban on the last remaining Jewish

Mr. CANNON. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Russell, Mr. Cannon, Mr. Ervin, and Mr. Saltonstall conferees on the part of the Senate.

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1944, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOSBATT, Mr. DUNN, Mr. CANNON, Mr. LAMB, and Mr. MICHEL were appointed as managers on the part of the House at the conference.

Mr. MANSFIELD. Madam President, I yield 20 minutes to the Senator from Utah [Mr. Moss], but I wish to state it is the intention of the leadership to try to divide the time on the treaty as nearly equally as possible between the proponents and the opponents.

Mr. DIRKSEN. Madam President, will the Senator from Utah yield 2 minutes to me so that I may yield to the Senator from New York [Mr. Javorski]?

MR. MOORE I yield.

16798

CONGRESSIONAL RECORD — SENATE

September 23

butcher shop in Moscow which Soviet police closed recently because of alleged unsanitary conditions. The baking of matzos for Passover has been prohibited for the last 2 years, and just 2 days ago the appeal was rejected of three elderly Jews who had been in prison for baking matzo in their own home and selling them.

Countless other vicious measures are being employed by the Soviet Government to break down Jewish religious loyalty and cultural identification. No communication with Jews outside the U.S.S.R. is permitted; religious teaching is forbidden; no Jewish books or periodicals are permitted; no theater, no vestige of Jewish culture is allowed to exist.

Let us make no mistake about Chairman Khrushchev's determination to weaken Jewish life in the Soviet Union. Russian Jews are cut off from the rest of the world; they cannot speak for themselves because they live in a closed society where free speech does not exist. They dare not show their interest in Israel, because of fear of reprisals. On their domestic radio they can hear only the voices of pro-Arab propagandists parroting the cruel and flinty anti-Israel line.

The world must protest loud and long if there is to be any hope for the captive Jews of the Soviet Union. Past experience shows that Chairman Khrushchev is sensitive to any charge of anti-Semitism. The Soviets pride themselves on having made anti-Semitism a criminal offense—even though this law is seemingly honored more in the breach than in the observance. In view of the insistent and reliable reports which continue to come out regularly, the Kremlin owes the world an explanation which should be clear, unequivocal and backed by action to show it means to implement its anti-Semitic law.

Quiet protests even on a high level apparently will not work. President Eisenhower in 1959 told Chairman Khrushchev of the great concern of Americans about the treatment of Soviet Jews during the Camp David discussion period. This was followed up by former Secretary of State, Christian Herter, who again expressed our concern this time to Soviet Foreign Minister Gromyko and by others. Efforts in the United Nations have so far not proved effective. World-wide protest is needed.

The ghastly history of Germany's Jews in the 1930's and 1940's, and of Stalin's "Jewish doctor's" terror, are a constant reminder to the world that timely vigilance and protest are demanded of us all. We must do everything in our power individually and collectively to sound the alarm and speak out against the grave danger to Jews in the U.S.S.R. A great surge of indignation—the determined protests not only of Jews but of all free peoples who treasure the rights of the individual must sweep across the world powerfully enough to stop the deadly progression of Soviet anti-Jewish actions.

I ask unanimous consent to have printed at this point in the Record an editorial from the New York Herald Tribune of today, entitled "Executing

the Rabbis," and an article from yesterday's New York Times.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the New York Herald Tribune, Sept. 22, 1960]

EXECUTING THE RABBIS

Russia, we know, is a land of contrasts, but some of the contrasts being provided by a prominent Soviet citizen, Nikita Khrushchev, give cause for considerable concern. On the one hand, he is credited with having relaxed the iron grip of previous Russian rulers. But on the other, he is about to commit a barbarous act of which not even his inhumane predecessor, Stalin, had been accused.

We refer to the sentencing of a Russian rabbi to death on charges that he had committed "economic crimes." No one in the civilized world can possibly accept capital punishment as a penalty for engaging in currency exchange, even if the rabbi were guilty of that offense. If Mr. Khrushchev carries out the sentence, we shall have to conclude that the only way he finds it possible to exterminate Judaism in the Soviet Union is by executing its rabbis.

[From the New York Times, Sept. 22, 1960]

U.S. JEWS PROTEST TO SOVIET ON RABBI SENTENCES TO DEATH

(By George Dugan)

The Rabbinical Council of America, representing more than 850 Orthodox rabbis, has lodged a formal protest with the Soviet Embassy over the death sentence imposed on a rabbi last month by a Soviet court for alleged speculation in foreign currency and gold.

In a letter to Anatoly F. Dobrynin, Soviet Ambassador to the United States, Rabbi Abraham M. Avrutick, president of the council, charged that the sentence "leaves us with a feeling that a campaign is being waged against religious Jewry in Russia."

The letter dated September 8, continued: "We feel that it is indispensable that the Soviet authorities grant full civil, religious, and communal recognition to the rights, guarantees, and privileges of this Jewish citizens. Surely, a great country like Russia should not have to persecute a small minority of dedicated people. It hardly adds to the dignity of your country or its reputation in the council of nations."

ONE OF THREE CONDEMNED

The rabbi condemned by the Soviet court was identified by the Russian Republican newspaper, Sovetskaya Rossiya, as B. Gavrilov. The newspaper reported that the sentence was handed down after a 4-week trial in the Caucasus spa of Pyatigorsk.

The rabbi was one of three persons condemned for so-called economic crimes. He was said to have set up a "real money-changing office" at his home according to the Soviet newspaper. It did not indicate whether he headed a congregation.

Rabbi Bernard Twerky, press officer for the Rabbinical Council, said that if no answer was received "in a few days" the U.S. Government would be asked to intervene with the Russian delegation at the United Nations.

Dr. Nahum Goldman, president of the World Jewish Congress, reported on September 12 a slow but steady deterioration in the position of Jews in the Soviet Union. He said he believed the entire Soviet Jewish community was being dismantled and spoke of the exceptional ferocity that was applied to Jews convicted of economic offenses. Quoting figures in the Soviet press, he said 140 persons had been condemned between July 1, 1961, and July 1, 1960. He also proposed reviving a campaign to mobilize world

opinion to bring about a more tolerant Soviet attitude. His report was submitted to members of the international conference on the situation of the Jews in the Soviet Union.

PENALTY CALLS EXCESSIVE

In his letter to the Soviet Ambassador, Rabbi Avrutick said that while the council cannot comment on the nature of the charge against Rabbi Gavrilov because of lack of information, "We do feel that the penalty far exceeds the alleged crime." A similar protest was voiced last week by Rabbi Yimhak Nissim, chief rabbi of Israel.

Meanwhile, the rabbinical assembly, an international association of conservative rabbis, has asked its members to devote their Yom Kippur sermons to the plight of Jews in Russia. Yom Kippur, the Day of Atonement, begins at sundown on Friday.

The request was issued by Rabbi Theodore Friedman, president of the assembly.

"All reliable observers agree," he said, "that unless some significant shift in the Soviet position vis-a-vis Jewish religious and cultural life in Russia takes place within the next decade or so, that once great reservoir of Jewish life is doomed to extinction."

"There is no more suitable occasion for bringing this situation to the attention of our people as effectively as we can, than on the high holy days, when we discuss the fate and future of our people."

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. MOSS. Madam President, I shall vote to approve the nuclear test ban treaty. I will do this in soberness and after full and deep study and reflection. I will not seek sensationalism by claiming motives which override threats of political oblivion.

This is a time to do one's duty and to forget political advantage. This is the time to reaffirm the bipartisan nature of our dedication to basic foreign policy. The vote of the Foreign Relations Committee and the support given by the distinguished minority leader and the distinguished assistant minority leader encourages me to believe the Senate majority in favor of ratification will be overwhelming.

The signing of a nuclear test ban treaty is a continuation of a policy consistently followed by previous Democratic and Republican administrations. We were reminded of this forcefully by my colleague, the junior Senator from Illinois, last week when he so eloquently emphasized statements in the Republican platform of 1960. It stated:

We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing.

Senator DIRKSEN added:

I do not subscribe lightly to party platforms. I have served on the platform committee of my party when such solemn words were uttered. We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere. This is what we seek in the treaty today.

economic rights as the President now requires them to do in certain cases under the directives already issued by him without any authority from Congress. The Government could require people to surrender the right to determine to whom they shall sell or rent their houses, if they participate in the housing program. If a veteran should borrow money under the Veterans Loan Fund Act, the veteran could be required to surrender in advance, as a condition to obtaining the loan, the right to determine to whom he would sell or lease or rent his house. Under the bill, the President would be permitted to use untold billions of dollars of congressional appropriations for the purpose of bribing or coercing parties into surrender of economic rights, of personal rights, of legal rights, and of property rights which have always been dear to the American people.

Mr. JOHNSTON. I am associated with two denominational institutions. I am very much interested in possible effects on such denominational institutions.

If the bill were to pass, since the States in most instances exempt the denominational institutions from paying taxes, in the future if they were to do any kind of business with the Federal Government, does the Senator think the Federal Government could tell them how to operate their institutions?

Mr. ERVIN. If they were participating in any federally assisted programs or activities, the Federal Government could even tell them whom they should hire on their faculties. Under the terms of the bill, that could be if the Federal Government thought it necessary to prevent discrimination because of race or color or religion or national origin.

Under the bill, the Federal Government would have the power to go into a religiously affiliated college participating in a federally assisted program and dictate that the college should take on the faculty some person who did not entertain the religion of those who supported that institution, if it concluded such action to be appropriate to prevent discrimination on the ground of creed. The bill would prohibit not only racial discrimination, but also discrimination on account of one's creed.

Title VI is the most expansive blueprint for governmental tyranny which has ever been conceived in the mind of any man on the North American Continent.

Mr. JOHNSTON. I thank the Senator for his answers.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ERVIN. I yield for a question.

Mr. LONG of Louisiana. May I ask the Senator from North Carolina if, under so-called title VI, a great number of innocent persons would be made to suffer from decisions in regard to which they had no power to act whatever?

Mr. ERVIN. There is no question whatsoever about that. For example, under title VI the Federal Government could withhold funds for school aid to schools in an impacted area because the Federal Government wanted the schools to be desegregated. Under the decision

of the Supreme Court in Brown against Board of Education of Topeka, the question of what school a child shall attend is left to the child and his parents. The decision does not belong to the Federal Government. Yet, under the terms of the bill, the Federal Government could usurp the right of the child or its parents to determine that question.

Indeed, it could ignore the desires of the child or its parents, determine how the right of the child or its parents is to be exercised.

Mr. LONG of Louisiana. Would it be possible, under title VI, for the Federal Government to hold up funds for programs completely unrelated to education?

Mr. ERVIN. Yes.

Mr. LONG of Louisiana. Even though the complaint had nothing to do with the failure of a State to put a certain child in a certain school or place?

Mr. ERVIN. There is absolutely no limitation on the power that the bill would vest in the Federal Government in respect to federally assisted programs or activities insofar as racial relations, or religious relations, or questions of national origin are concerned.

Mr. LONG of Louisiana. Would it be possible under this program for the Federal Government to hold up funds, let us say, for aid to the aged, the disabled, and dependent children, because there was a practice of social segregation in restaurants in a State?

Mr. ERVIN. No; not to that extent. Title II of the bill would cover such practices in restaurants, but the power given to the Federal Government under title VI applies only to programs or activities which are federally assisted from the financial viewpoint. However, that includes virtually every program or activity in which the Federal Government participates in any way.

Mr. LONG of Louisiana. Would the Senator mind giving me an example of how this mechanization could be triggered to cut off funds for the needy, the aged, dependent children, and the blind?

Mr. ERVIN. Under title VI, the Federal Government would have the power to cut off all Federal grants to a State under the Old-Age Assistance Act if it found that some individuals under the program were being discriminated against because of race or religion. Such action would cut off aid for the innocent to punish the allegedly guilty.

No further laws are needed in order to deal with any State or local official for denying any individual any right or privilege in any federally assisted program or activity. Under section 242 of title 18 of the United States Code, which was put on the law books long before the Senator from Louisiana and I were born, a State or local official who wilfully denies to any person, because of race or religion or national origin, or because of any other reason, or lack of reason, any right or privilege such person has under any act of Congress, is subject to prosecution and, upon conviction, can be fined and imprisoned.

Mr. LONG of Louisiana. I thank the Senator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 1066 A bill for the relief of the E. L. K. Oil Co.; and

S.J. Res. 51. Joint resolution to authorize the presentation of an Air Force Medal Recognition to Maj. Gen. Benjamin D. Foulois, retired.

YOUNG DEMOCRATS URGE TIES WITH CUBA

Mr. MILLER. Mr. President, in last night's Washington Evening Star appeared an article captioned "Democrats Urge Ties With Cuba." I read the article with profound shock, because the article states that at a convention of Young Democrats from 13 Western States at Berkeley, Calif., yesterday, several resolutions were adopted, including these: That the United States resume diplomatic relations with Cuba; that a nonaggression pact be signed between NATO and Communist Warsaw pact nations; that the United States withdraw its troops from South Vietnam; that the House Committee on Un-American Activities be abolished; and that the McCarran Internal Security Act be repealed.

I trust these views are not shared by the leaders of the Democratic Party in Washington. I am sure that all Senators await with a great interest and expectation a clear repudiation of these resolutions by what I am afraid was a most irresponsible meeting of irresponsible young people.

I ask unanimous consent that the article be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

DEMOCRATS URGE TIES WITH CUBA

BERKELEY, CALIF., August 19.—Young Democrats from 13 Western States ended their convention in Berkeley yesterday with resolutions concerning Cuba, civil rights and American military deployment.

A total of 32 resolutions demanded, among other things, that the United States resume diplomatic relations with Cuba, that the August 28 Negro civil rights parade on Washington be "carried out as planned," that a nonaggression pact be signed between NATO and Communist Warsaw Pact nations and that the United States withdraw its troops from South Vietnam.

Other points covered included demands for the abolition of the House Committee on Un-American Activities, repeal of the McCarran Internal Security Act, revision of the McWarran-Walter Immigration Act, the elimination of compulsory arbitration in strikes and abolition of the death penalty.

The delegates condemned various organizations, the aim of which they said, is to limit the civil rights of nonwhites. These included, the Young Democrats said, the John Birch Society, the Americans for Constitutional Action and the Christian Crusade.

HARASSMENT OF SOVIET JEWS

Mr. JAVITS. Mr. President, a news dispatch from Moscow discloses that the